THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY

Taken Up Writ Petition No.1054 of 2007

Dated: 29th January, 2007.

Between:

J.Rajasekhar, S/o.Bala Rangaiah, H.No.40/30 A-15, Medam Compound, Kurnool

... Petitioner

and

1. The Station House Officer, II Town Police Station, Kurnool and another

... Respondents

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Oral Order: **(per the Hon'ble Sri Justice P.Lakshmana Reddy)**

Heard the learned Advocate General appearing for the respondents.

2. This is a Taken Up Writ Petition on the basis of a telegram, dated 03-01-2007, sent by the petitioner to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad alleging that his wife, by name J.Sailaja was arrested by the Inspector of Police, II Town Police Station, Kurnool on 03-01-2007 at 9 a.m. and he was apprehending danger to her life and that a direction may be given to set her at liberty forthwith.

3. On receipt of notices in this writ petition, the Inspector of Police, II Town Police Station, Kurnool, who is the first respondent herein, filed a counter-affidavit

stating that the allegation made in the telegram, dated 03-01-2007, is false, baseless and that there was no occasion for the Police either to apprehend or detain the alleged detenue Smt. J.Sailaja illegally on 03-01-2007 and that as one Smt. M.Usharani made a written complaint on 03-01-2007 to the Circle Inspector of Police, II Town Police Station, Kurnool stating that the alleged detenue has been residing in the first floor of her house as a tenant for the last two years and she has not paid the rents regularly, that she has been abusing her in vulgar language and pouring garbage in her house and thereby creating nuisance. On such written report, both parties were summoned to the Police Station and were advised not to create any nuisance and thereafter the alleged detenue left the Police Station and that subsequently the Police came to know that she consumed sleeping pills and got herself admitted in a private hospital i.e., Kalyani Hospital, Kurnool on 04-01-2007 at 6 p.m. and she was treated as an in-patient and discharged on 12-01-2007. The Inspector of Police asserted that they never took the alleged detenue into the custody.

4. In view of the facts stated in the counter-affidavit that the alleged detenue is discharged from the hospital on 12-01-2007 and now she is very much available and as there is no crime registered against the said woman, there is nothing to pass any further orders in this writ petition.

5. Accordingly, the Taken Up Writ Petition is dismissed, at the stage of admission.

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D.S.R.VARMA, J

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P.LAKSHMANA REDDY, J

29th January, 2007.
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